

Exhibit I

2001 U.S. Dist. LEXIS 25885, *

1 of 11 DOCUMENTS

PHILLIP ENGERS, et al., Plaintiffs, v. AT&T CORP., et al., Defendants.

CIVIL ACTION NO. 98-3660

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

2001 U.S. Dist. LEXIS 25885

June 6, 2001, Decided

June 7, 2001, Filed

SUBSEQUENT HISTORY: Supplemental opinion at *Engers v. AT&T Corp.*, 2001 U.S. Dist. LEXIS 25889 (D.N.J., June 6, 2001)

PRIOR HISTORY: *Management Emples. of AT&T v. AT&T*, 1999 U.S. Dist. LEXIS 6260 (D.N.J., Apr. 23, 1999)

DISPOSITION: [*1] Ordered that the plaintiffs' motion to certify this matter as a class action is granted and the 9th claim is dismissed..

COUNSEL: For GERALD SMIT, PHILLIP C. ENGERS, Plaintiffs: JONATHAN I. NIRENBERG, DEUTSCH RESNICK, PA, HACKENSACK, NJ.

For AT&T, AT&T MANAGEMENT PENSION PLAN, Defendant: CHRISTOPHER H. MILLS, COLLIER, JACOB & MILLS, PC, SOMERSET, NJ.

For WARREN J. MCFALL, Plaintiff: NEIL H. DEUTSCH, JONATHAN I. NIRENBERG, DEUTSCH RESNICK, PA, HACKENSACK, NJ.

For DONALD G. INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED, Plaintiff: NEIL H. DEUTSCH, DEUTSCH RESNICK, PA, HACKENSACK, NJ.

JUDGES: HON. NICHOLAS H. POLITAN.

OPINIONBY: NICHOLAS H. POLITAN

OPINION:

ORDER

THIS MATTER having come before the Court on the motion of the named plaintiffs, Philip C. Engers, Warren J McFall, Donald G. Noerr, and Gerald Smit to certify this matter as a class action; and the Court having considered the moving papers of the parties; and the Court having heard oral argument on January 23, 2001; and for the reasons set forth in the accompanying Letter Opinion; and for good cause shown,

IT IS on this 6th day of June, 2001,

ORDERED that the Ninth Claim for Relief in the plaintiffs' Second Amended [*2] Class Action Complaint be and hereby is **DISMISSED**; and it is further

ORDERED that the plaintiffs shall submit, within thirty (30) days of the date of this Order, evidence which would tend to counter the defendants' contention that none of the named plaintiffs will suffer a reduction in annual benefits commencing at age sixty-five by virtue of the Plan Amendment; and it is further

ORDERED that the plaintiffs' motion to certify this matter as a class action be and hereby is **GRANTED**, and that this matter is certified as a class action with regard to the remaining claims in the Second Amended Class Action Complaint.

Nicholas H. Politan

U.S.D.J.